REMARKS

Claims 1-20 were pending in this application. By this amendment, claims 1-7 are canceled, claims 8 and 15-20 are amended, and claim 21 is new. Claims 1-7 have not been canceled with prejudice or disclaimer. Support for the claim amendments can be found at page 4, lines 13-30, page 5, lines 23-29, and FIGURES 2 and 4. Thus claims 8-21 are now pending in the application. The claims have not been amended for reasons related to patentability, but are amended to expedite the allowance of this case. Applicant respectfully requests reconsideration of the present claims in view of the foregoing amendments and the following remarks.

Claim Rejections Under 35 U.S.C. §101

Claims 1-7 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1-7 are hereby canceled, and thus the 35 U.S.C. §101 rejection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

Applicant respectfully submits that claims 15-20, as amended, are directed to a computer-readable medium and are tangibly enabled. Accordingly, withdrawal of this rejection and reconsideration of claims 15-20 are respectfully requested.

Claim Rejections Under 35 U.S.C. §102

Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by a mental process in a human being augmented with a pencil and paper. Claims 1-7 have Benn canceled, and thus the 35 U.S.C. §102(b) rejection is moot.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 1-4, 6, 8-11, 13, and 15-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over USPN 5,412,771 to Fenwick (hereinafter "the '771 patent") in view of vLetter PRO form. Claims 1-4, and 6 have been canceled and the rejection is moot.

Since Applicant cannot determine a publication date for the vLetter PRO form as provided in the Office Action, Applicant requests that the Examiner provide authenticated evidence of a publication date for the vLetter PRO form so that Applicant can make a proper prior art determination.

Applicant submits that the '771 patent does not teach, suggest, or describe the recitations of amended independent claim 8. The vLetter PRO form does not remedy the deficient teachings

of the '771 patent. Moreover, the '771 patent in combination with the vLetter PRO form does not teach, suggest, or describe the recitations of amended independent claim 8.

Independent claim 8, as amended, recites a computer system for creating a font, comprising: a sheet having a grid pattern, the grid pattern providing blank spaces with an indication of a character associated with each blank space, the blank spaces containing hand-written characters, the sheet having a first set of registration marks and a second set of registration marks, the first set of registration marks differing in number from the second set of registration marks, wherein the first set of registration marks are spaced apart from and similarly oriented as the second set of registration marks; a scanner that digitizes the hand-written characters, wherein the first and second sets of registration marks aid in orienting the sheet in the scanner; a processor in communication with the scanner, the processor being configured to receive the digitized characters from the scanner, associate the digitized characters with the characters of a character set based upon the position of the written characters on the sheet, and store the associated and digitized characters as a font.

The '771 patent is directed to generation of interdependent font characters based on ligature and glyph categorizations. The '771 patent describes a method for producing a font for creating strings of glyphs representing characters in a language having a handwritten appearance. Glyphs are categorized and used to create the font according to a set of predefined ligature types. After categorizing the glyphs, values associated with ligatures of the glyphs categorized within each of the ligature type categories are averaged to produce representative ligature values for each of the ligature type categories. These glyphs are then modified, as necessary, to produce a modified set of glyphs. Glyphs from the modified set of glyphs are assigned to the strings of glyphs to represent characters as required by the font so as to produce strings of glyphs having a handwritten appearance.

The '771 patent does not teach, suggest, or describe each and every limitation of amended independent claim 8. For example, the '771 patent does not teach, suggest, or describe a computing system including a sheet having a first set of registration marks and a second set of registration marks, the first set of registration marks differing in number from the second set of registration marks, wherein the first set of registration marks are spaced apart from and similarly oriented as the second set of registration marks. While not waiving any rights to future rebuttal

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and assuming that the vLetter PRO form is a proper reference, the vLetter PRO form does not compensate for the deficient teachings of the '771 patent. That is, the vLetter PRO form does not teach, suggest, or describe each and every limitation of amended independent claim 8. For at least these reasons, withdrawal of the rejection and allowance of amended independent claim 8 is respectfully requested. Since claims 9-11, and 13 depend from claim 8 and contain additional important subject matter, claims 9-11, and 13 are allowable over the combination of the '771 patent and the vLetter PRO form for similar reasons.

Independent claim 15, as amended, recites a computer-readable medium having computer executable instructions which when executed by a computing device provides a method for creating a font, wherein the method comprises: scanning a sheet having a first set of registration marks and a second set of registration marks, the first set of registration marks differing in number from the second set of registration marks, wherein the first set of registration marks are spaced apart from and similarly oriented as the second set of registration marks to digitize written characters on the sheet, the sheet having a grid pattern that provides blank spaces with an indication of the character associated with each blank space and wherein the written characters are positioned within the blank spaces, the first and second sets of registration marks assisting to orient the sheet when scanning; associating the digitized characters with the corresponding characters of a character set according to the position of the written characters on the sheet; and storing the associated and digitized characters as a font.

The deficient teachings of the '771 patent described above are applicable to the rejection of claim 15. That is, the '771 patent does not teach, suggest, or describe each and every limitation of amended independent claim 15. Furthermore, and again assuming that the vLetter PRO form is a proper reference, the vLetter PRO form does not compensate for the deficient teachings of the '771 patent. That is, the vLetter PRO form does not teach, suggest, or describe each and every limitation of amended independent claim 15. For at least these reasons, withdrawal of the rejection and allowance of amended claim 15 is respectfully requested. Since claims 16-18 depend from claim 15 and contain additional important subject matter, claims 16-18 are allowable over the combination of the '771 patent and the vLetter PRO form for similar reasons.

Claims 5, 12, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over the '771 patent in view of vLetter PRO form and further in view of US PGPub 2001/0048436 to Sanger (hereinafter "the '436 publication"). Claim 5 has been canceled and the rejection thereto is moot.

Claim 12 depends from amended independent claim 8 and provides additional important subject matter. The deficient teachings of the combination of the '771 patent and the vLetter PRO form are described above. Applicant submits that the '436 publication does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form with respect to amended independent claim 8.

The '436 publication is directed to a method and apparatus for sending electronic mail using human handwriting. The '436 publication describes a web-based system for sending an electronic mail message containing simulated human handwriting. The website includes a user interface whereby an email sender can enter a message in text format directly into the website, convert the message into simulated handwriting and forward the email to a recipient. The email sender may tailor the appearance of the message by choosing from a variety of formatting parameters including character size, color, pen type and choice of script. Generated compressed graphic images are encoded in standard formats (e.g., GIF or JPEG) and sent using standard email protocols, which are acceptable to most email readers, thereby eliminating the need for special-purpose software for the recipient.

The '436 publication does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form and does not make obvious the recitations of amended independent 8. Since claim 12 depends from amended independent claim 8 and provides additional important subject matter, claim 12 is allowable for similar reasons. Withdrawal of the rejection and allowance of claim 12 are therefore respectfully requested.

Additionally, the '436 publication does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form and does not make obvious the recitations of amended independent 15. Since claim 19 depends from amended independent claim 15 and provides additional important subject matter, claim 19 is allowable for similar reasons. Withdrawal of the rejection and allowance of claim 19 are therefore respectfully requested.

Claims 7, 14, and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over the '771 patent in view of vLetter PRO form and further in view of USPN 6,707,466 to Van Sickle et al. (hereinafter "the '466 patent"). Claim 7 has been canceled and the rejection thereto is moot.

Claim 14 depends from amended independent claim 8 and provides additional important subject matter. The deficient teachings of the combination of the '771 patent and the vLetter PRO form have been described above. Applicant submits that the '466 patent does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form with respect to amended independent claim 8.

The '466 patent is directed to a method and system for form recognition and digitized image processing. The '466 patent describes a method and system for automated identification of pre-printed forms, based on the location of a mark made manually on the form. The method includes identifying the existence and location of a mark made manually on a form, identifying the pre-printed form based on the location of the mark, determining any misalignment between the received ink data and a stored image of the form, shifting the ink data to correct the misalignment, and merging the ink data and the image of the form so as to enable the display of the form and the marks made on the paper form as they appeared when the marks were made on the paper. The system includes a digitizer and a pre-printed form having one or more pre-printed indicators unique to the form indicating where a user is to enter one or more identifying marks. A processor identifies the existence and location of the one or more identifying marks made by the user, and identifies the form based on the location of the one or more marks.

The '466 patent does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form and does not make obvious the recitations of amended independent 8. Since claim 14 depends from amended independent claim 8 and provides additional important subject matter, claim 14 is allowable for similar reasons. Withdrawal of the rejection and allowance of claim 14 are therefore respectfully requested.

Additionally, the '466 patent does not compensate for the deficient teachings of the combination of the '771 patent and the vLetter PRO form and does not make obvious the recitations of amended independent 15. Since claim 20 depends from amended independent claim 15 and provides additional important subject matter, claim 20 is allowable for similar

reasons. Withdrawal of the rejection and allowance of claim 20 are therefore respectfully requested.

Even if the '466 patent provided sufficient teachings to compensate for the deficient teaching of the '771 patent and the vLetter PRO form, the Office Action provides no evidence of suggestion or motivation to combine the references. Furthermore, the '771 patent and the '466 patent are not classified in the same classification, contrary to what the Office Action asserts on page 10. If the Examiner insists on applying the '466 patent, Applicant requests that the Examiner provide sufficient evidence, other than conclusory statements, regarding the suggestion or motivation to combine the references.

Independent claim 21 is new and Applicant believes allowable in view of the remarks made heretofore.

CONCLUSION

For at least these reasons, Applicant asserts that the pending claims 8-21 are in condition for allowance. Applicant further asserts that this response addresses each and every point of the Office Action, and respectfully requests that the Examiner pass this application with claims 8-21 to allowance. Should the Examiner feel that a telephone interview with Applicant's attorney would further advance the case, please contact the undersigned at 404.954.5040.

Respectfully submitted,

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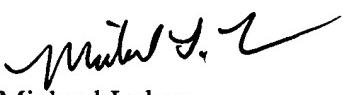
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